

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
E911 Requirements for IP-Enabled)	WC Docket No. 05-196
Service Providers)	

**REPLY COMMENTS OF THE
NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION**

The National Cable & Telecommunications Association (“NCTA”), by its attorneys, submits these reply comments in the above-captioned proceeding.

Based upon its review of the comments, NCTA’s reply comments focus on two points. First, it would be premature for the Commission to endorse a single ALI technical solution at this time. And second, cable VoIP providers and alarm companies should be permitted to develop working relationships free of regulatory oversight.

**I. THE COMMISSION SHOULD CAREFULLY MONITOR THE
TECHNOLOGICAL DEVELOPMENT OF NOMADIC INTERCONNECTED
VOIP SERVICES, BUT IT WOULD BE PREMATURE TO ENDORSE A
PARTICULAR TECHNICAL SOLUTION**

NCTA supports the comments of Time Warner and other parties that call for “vigilant oversight rather than adopting specific technical mandates” to achieve Automatic Location Information (“ALI”) for nomadic interconnected VoIP services.¹ As Time Warner states: “It would be premature for the Commission to bless a particular technological approach, whether it be an access jack inventory, a wireless access point inventory, access point mapping and

¹ Time Warner Comments at 9-10 (“Time Warner”). See also, Qwest Communications Corp. at 5-8; SBC Communications Inc. at 6-9; Verizon at 2-4; AT&T Corp. at 5-8; Voice on the Net Coalition at 5-11; Earthlink at 3-4.

triangulation, HDTV signal triangulation, a GPS solution, or some other approach.”² Moreover, the Commission should not *de facto* favor particular technical solutions by adopting unnecessary implementation deadlines, nor should it “attempt to avoid picking specific technologies by instead selecting artificial and arbitrary deadlines regardless of the technology used.”³ For example, the Commission, were it to require that all terminal adapters be capable of providing location information by a fixed date, would risk forcing the adoption of a potentially less effective solution when superior solutions would be available a short time later.

The ALI mandate described in paragraph 57 of the Notice⁴ applies only to providers of nomadic interconnected VoIP services. Accordingly, the Commission should limit any additional ALI regulations to nomadic services. There is no need to divert scarce Commission and service provider resources to an ALI solution for interconnected VoIP services marketed as fixed, or which deliver essentially the same E911 functionality as traditional circuit-switched wireline telephone services.

The Commission’s implementation of ALI should include placement of responsibility for determining the location of a VoIP customer on the customer’s VoIP service provider. Cisco contends all VoIP service provider’s customers – those that are customers of the broadband service provider and those that are customers of the broadband service provider’s competitors – should be able to “gather location information from the broadband service provider.”⁵ As NCTA has previously contended, “VoIP regulatory policy must ensure that cable operators who invest in

² Id.

³ Time Warner at 9-10.

⁴ Notice at ¶ 57.

⁵ Cisco Systems at 2.

the platform that makes ... [facilities based] ... competition possible are not disadvantaged by regulation in favor of those who use that platform to compete with cable's VoIP services.”⁶ The provision of a VoIP customer's location information to public safety personnel in the event of an emergency should be the responsibility of the customer's VoIP service provider.

Cable companies have already achieved full ALI functionality for their fixed VoIP services. The industry is committed to achieving full ALI functionality for nomadic services. Recognizing that one solution might not fit all, the cable industry will work with the Commission and others to achieve the best solution or solutions for different types of interconnected VoIP services. How full ALI functionality is deployed in a particular VoIP service configuration is much less important than that it *is* deployed.

II. THE CABLE INDUSTRY IS COMMITTED TO WORKING WITH THE ALARM INDUSTRY TO FOSTER THE EFFECTIVE FUNCTIONING OF ALARM SERVICES FOLLOWING THE INSTALLATION OF CABLE VOIP

The Central Station Alarm Association (“CSAA”) asks the Commission to require “VoIP providers ... to determine whether a new VoIP customer has alarm service and to notify and work with the alarm company before cutting over the customer's service in order to ensure that alarm service is not degraded, interrupted or terminated.”⁷ CSAA maintains that the alarm provider, if notified, “may be able to resolve some or all of the issues that otherwise would result in a loss of effective alarm service.”⁸

⁶ “Balancing Responsibilities and Rights: A Regulatory Model for Facilities-Based VoIP Competition,” NCTA, February 2004, at 7.

⁷ Comments of the Central Station Alarm Association, Aug.15, 2005, at 3-4 (“CSAA”).

⁸ Id. at 5.

CSAA's comments do not make the case for regulation at this time. In this proceeding, and in July 2004 comments in WC Docket No. 04-36,⁹ CSAA has asserted that cable companies and other providers of VoIP are responsible for the disruption of alarm services. Contrary to its claims, no detail is provided in comments in either proceeding. More specifically, in its initial comments in this proceeding, CSAA states:

Alarm companies have been encountering an increasing number of problems when their customers replace traditional wireline telephone service with VoIP service. *As detailed in CSAA's comments in the IP-Enabled Services proceeding*, some VoIP providers install their service by cutting the connections of their new subscribers to the PSTN and replace them with connections to the Internet that disconnect alarm panels entirely or connect them in a manner that impairs their ability to seize the lines they need to send alarm data to central stations. CSAA members have reported such problems caused by cable television companies that offer VoIP service via cable modems and with non-cable VoIP providers such as Vonage. In addition, many existing digital communicator alarm panel formats are not compatible with some VoIP services and may preclude alarm data from being reliably transmitted to central stations.¹⁰

Likewise, there were no specific details in its earlier referenced comments. Nevertheless, CSAA contends, based upon these presumably conclusive statements, that the Commission should adopt a regulation requiring VoIP providers to notify alarm companies before cutting over the customer's service.¹¹

The regulatory solution CSAA seeks – a notification rule – is not needed for cable VoIP services. As CSAA members are aware, the general practice of cable companies is to work with alarm companies to ensure that alarm services continue to function as intended when a customer

⁹ See Reply Comments of the Central Station Alarm Association, WC Docket No. 04-36, Jul. 14, 2004 ("CSAA Reply-WC Docket No. 04-36").

¹⁰ CSAA at 4 (emphasis supplied). CSAA contends "some VoIP providers install their service by cutting the connections of their new subscribers to the PSTN and replace them with connections to the Internet." *Id.* Cable companies do not currently use the Internet to provide their interconnected VoIP services.

¹¹ *Id.* at 3-4.

purchases cable VoIP service.¹² Unlike non-facilities VoIP, cable VoIP usually involves an onsite installation and a signed work order.

The cable industry desires to support ancillary services including alarm services by identifying appropriate equipment accommodations and by training cable VoIP installers to maintain alarm service operations where appropriate and necessary. In fact, cable companies have already initiated contacts with alarm companies to address current issues and will continue to work with alarm companies to resolve outstanding issues.¹³

Alarm systems and telephone installations are a two-way street. It is the general practice of cable companies to direct installers, where alarm systems are present, to examine the alarm system to ensure it is in working order prior to the installation of the VoIP service. In performing this function, our companies report that installers find in-place alarm systems are sometimes less than fully functional. When such a condition is identified, the cable installer works with alarm company personnel to troubleshoot the problem and to repair and test the alarm system, prior to the installation of the cable VoIP service. In this way, the installation of cable VoIP can become an occasion to enhance the reliability of current alarm systems.

Cable companies recognize the importance to VoIP customers of maintaining the functionality of alarm services following the installation of cable VoIP. The cable VoIP value proposition would be diminished if customers with alarm systems found that VoIP disrupted this service. Given these realities, the adoption of CSAA's proposed notification rule at this time would unnecessarily inject the Commission into developing marketplace arrangements between

¹² The cable industry can speak only to the general practices of cable companies. NCTA expresses no view regarding the practices of other providers of VoIP.

¹³ NCTA disputes with respect to cable companies the CSAA assertion in its July 2004 reply comments in WC Docket No. 04-36, that, in response to CSAA members' efforts to discuss mutual problems, VoIP providers have appeared "indifferent to alarm industry concerns." CSAA Reply-WC Docket No. 04-36, at 6.

cable companies offering the new VoIP service and alarm companies. This is neither necessary based upon the existing record, nor desirable in light of established cable industry practices.

CONCLUSION

NCTA's reply comments address two issues: the regulatory treatment of nomadic interconnected VoIP services and CSAA's proposed rule requiring cable VoIP providers to notify alarm companies prior to installing cable VoIP services. The Commission should not adopt specific technical mandates to achieve ALI for nomadic interconnected VoIP services. Cable systems and alarm companies should be permitted to develop effective working arrangements; the proposed notification rule sought by CSAA is not warranted.

Respectfully submitted,

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September 12, 2005